

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE

Middle DIVISION

RECEIVED
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AUG 16 2022

U.S. District Court
Middle District of TN

Jarvis Taylor
(Name)
387118
(Prison Id. No.)

(Name)

(Prison Id. No.)

Plaintiff(s)

v. Core Civic of Tennessee, LLC,
Yo E/In/la Borden, Yo Jada Green,
(Name)
Sgt. M. Puebla, Lt. Craig Murray,
(Name)
and Capt. Kyla Mitchell
Defendant(s)

(List the names of all the plaintiffs filing
this lawsuit. Do not use "et al." Attach
additional sheets if necessary.)

Civil Action No. _____
(To be assigned by the Clerk's Office.
Do not write in this space.)

JURY TRIAL REQUESTED ☒ YES ☐ NO

(List the names of all defendants
against whom you are filing this
lawsuit. Do you use "et al." Attach
additional sheets if necessary.)

COMPLAINT FOR VIOLATION OF CIVIL RIGHTS FILED
PURSUANT TO 42 U.S.C. § 1983

I. PARTIES TO THIS LAWSUIT

A. Plaintiff(s) bringing this lawsuit:

1. Name of the first plaintiff: Jarvis Taylor
Prison I.D. No. of the first plaintiff: 387118
Address of the first plaintiff: Trousdale Turner Correctional Center
140 Marion Way, Hartsville, Tennessee 37074

Status of Plaintiff: CONVICTED (☒) PRETRIAL DETAINEE (☐)

2. Name of the second plaintiff: _____
Prison I.D. No. of the second plaintiff: _____
Address of the second plaintiff: _____

Status of Plaintiff: CONVICTED (☐) PRETRIAL DETAINEE (☐)

(Include the name of the institution and mailing address with zip code for each plaintiff. If any plaintiff changes his or her address, he or she must notify the Court immediately. If there are more than two plaintiffs, list their names, prison identification numbers, and addresses on a separate sheet of paper.)

B. Defendant(s) against whom this lawsuit is being brought:

1. Name of the first defendant: CAPT. MITCHELL - SGT. PYBALO
Place of employment of the first defendant: TRANSONE TURNER

First defendant's address: 140 MACON WAY
HARTSVILLE, TN 37074

Named in official capacity? ☒ Yes ☐ No

Named in individual capacity? ☒ Yes ☐ No

2. Name of the second defendant: LT. MURRAY - O.I.C. BORDEN
Place of employment of the second defendant: TRANSONE TURNER

Second defendant's address: 140 MACON WAY
HARTSVILLE, TN 37074

Named in official capacity? ☒ Yes ☐ No

Named in individual capacity? ☒ Yes ☐ No

(If there are more than two defendants against whom you are bringing this lawsuit, you must list on a separate sheet of paper the name of each additional defendant, his or her place of employment, address, and the capacity in which you are suing that defendant. If you do not provide the names of such additional defendants, they will not be included in your lawsuit. If you do not provide each defendant's proper name, place of employment, and address, the Clerk will be unable to serve that defendant should process issue.)

II. JURISDICTION

- A. Jurisdiction is asserted pursuant to 42 U.S.C. § 1983 (applies to state prisoners).
Jurisdiction is also invoked pursuant to 28 U.S.C. § 1343(a)(3).

If you wish to assert jurisdiction under different or additional statutes, you may list them below:

III. PREVIOUS LAWSUITS (The following information must be provided by each plaintiff.)

A. Have you or any of the other plaintiffs in this lawsuit filed any other lawsuit(s) in the United States District Court for the Middle District of Tennessee, or in any other federal or state court? ☐ Yes ☒ No

B. If you checked the box marked "Yes" above, provide the following information:

1. Parties to the previous lawsuit:

Plaintiffs _____
 Defendants N/A

2. In what court did you file the previous lawsuit? N/A

(If you filed the lawsuit in federal court, provide the name of the District. If you filed the lawsuit in state court, provide the name of the state and the county.)

3. What was the case number of the previous lawsuit? N/A

4. What was the Judge's name to whom the case was assigned? N/A

5. What type of case was it (for example, habeas corpus or civil rights action)? N/A

6. When did you file the previous lawsuit? (Provide the year, if you do not know the exact date.) N/A

7. What was the result of the previous lawsuit? For example, was the case dismissed or appealed, or is it still pending? N/A

8. When was the previous lawsuit decided by the court? (Provide the year, if you do not know the exact date.) N/A

9. Did the circumstances of the prior lawsuit involve the same facts or circumstances that you are alleging in this lawsuit? ☐ Yes ☒ No

(If you have filed more than one prior lawsuit, list the additional lawsuit(s) on a separate sheet of paper, and provide the same information for the additional lawsuit(s).)

IV. EXHAUSTION

- A. Are the facts of your lawsuit related to your present confinement?

VIOLATIONS DURING CONFINEMENT
☐ Yes ☒ No

- B. If you checked the box marked "No" in question III.B above, provide the name and address of the prison or jail to which the facts of this lawsuit pertain. _____

TROUSDALE TURNER CORR. CTR. 140
MAKON WAY HARTSVILLE, TN 37074

- C. Do the facts of your lawsuit relate to your confinement in a Tennessee state prison?

☐ Yes ☐ No

(If you checked the box marked "No," proceed to question IV.G. If you checked the box marked "Yes," proceed to question IV.D.)

- D. Have you presented these facts to the prison authorities through the state grievance procedure?
- ☒
- Yes
- ☐
- No

- E. If you checked the box marked "Yes" in question III.D above:

1. What steps did you take? SEE ATTACHED EXHIBIT-A

2. What was the response of prison authorities? _____

- F. If you checked the box marked "No" in question IV.D above, explain why not. _____

- G. Do the facts of your lawsuit pertain to your confinement in a detention facility operated by city or county law enforcement agencies (for example, city or county jail, workhouse, etc.)?
- ☐
- Yes
- ☒
- No

- H. If "Yes" to the question above, have you presented these facts to the authorities who operate the detention facility?
- ☐
- Yes
- ☐
- No

- I. If you checked the box marked "Yes" in question III.H above:

1. What steps did you take? N/A

2. What was the response of the authorities who run the detention facility? _____

N/A

J. If you checked the box marked "No" in question IV.H above, explain why not. _____

N/A

V. CAUSE OF ACTION

Briefly explain which of your constitutional rights were violated:

SEE ATTACHED CAUSE OF ACTION

VI. STATEMENT OF FACTS

State the relevant facts of your case as briefly as possible. Include the dates when the incidents or events occurred, where they occurred, and how each defendant was involved. Be sure to include the names of other persons involved and the dates and places of their involvement.

If you set forth more than one claim, number each claim separately and set forth each claim in a separate paragraph. Attach additional sheets, if necessary. Use 8 ½ inch x 11 inch paper. Write on one side only, and leave a 1-inch margin on all 4 sides.

SEE ATTACHED CAUSE OF ACTION

STATEMENT OF THE FACTS.

OF A BIAFANY AND WIFE

DISREGARD OF RULES, REGULATIONS,

POLICY AND PROCEDURES

CONSTITUTING VIOLATION OF THIS

PLAINTIFF'S CIVIL AND CONSTITUTIONAL

RIGHTS -

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

JARVIS TAYLOR,
Plaintiff,

)

)

)

)

v.

Civil No: _____

)

Jury Demand

)

CORECIVIC O.I.C. BORDEN, LT.MURRY,
CAPT.MITCHELL O.I.C. GREEN,
SGT.Pubalo

)

)

)

Defendants.

)

CAUSE OF ACTION/ STATEMENTS OF THE FACTS

That on 9-18-2021, at 5:30 p.m., O.I.C. Borden acting under authority, acting under color of state law, was passing out food with two other inmates. So when she got to my cell door, I asked can I go take a shower cause we been on lock-down and they been just letting us go , but she wast' hearing that. So we exchanged words, and I then asked her to call somebody down here, so she like no. I look out the pod door of Echo Charlie and see O.I.C.Green standing outside Echo A door, and I tell her look the whole pod is out, she tells me to step back in my cell and calls O.I.C., Green over and he gets to my cell door and I ask him am I one of these trouble makers, he says no. she then tells him don't talk to me. so I tell O.I.C. Green and Borden that I'm not one of those gangbangers or thugs, all I want is a shower, and if I do anything other than take a shower ,you can write me up. Then she began to pepper spray me. I run back into my cell and put some water in my eyes, then O.I.C. Green came and placed hand-cuffs on me, all while the security camera footage is observing me with a white t-shirt, grey shorts and white shoes.

1.

When we get to Echo Charlie pod door, that when Lt.Murry, Capt.Mitchell and Sgt. Pubalo while acting under authority , acting under color of state law opens the pod door,which I'm not saying anything at this time, until I hear somebody say you want to hit a woman , I turn my head as I'm walking, and say I didn't hit or touch O.I.C. Borden, when we get to the front door outside of Echo Bldg., that's when one of them flip me onto the ground, somebody has their foot on my neck and Lt.Murry has his knee on the left side of my face,smashing my right side of my face into the ground, and then started slapping me repeatedly with his walkies-talkie. They pick me up and all I said was I didn't touch her. Capt.Mitchell yelled shut up whore, I run this bitch not y'all. By that time blood was all over my face, only one shoe on cause when they flip me, one shoe came off. They then proceed to take me to the clinic, they sit me on the table, and a nurse came to try and rise my face off cause blood was every where. Capt.Mitchell said she was fixing to look at the camera and then left and came back a few minutes later, and said that the security camera footage showed that I didn't hit or touch O.I.C.Borden. I started asking the people around me for their names, but no one gave me any,nor did anyone take pictures of my injuries, nor was any bandages or ointment given for my injuries. That's when Lt.Murry came back in the room saying "you must have God on your side", and then placed me in a holding cell in the clinic, still being visible of security camera footage. I'm still in their bleeding, no one wants to talk nor help me but this case manager named Ms.Stokes was working overtime, came,looked at me and helped me by bringing a Ice Pack, which is still on camera. Moments later Sgt.Pubalo came and took me to Segregation, while on the way I asked him why he hit me, Sgt.Pubalo then state "don't put that on me", the only thing I did was put my foot on your neck. When we get to Segregation AC-pod cell 201,its camera right in front of my cell , it sees my face beaten, my t-shirt was with covered in blood, with one shoe on. I went without a bed-roll(mattress and sheets and blanket) for two (2) nights. My cellmate press the calm button in the cell, and a lady answered an he told her its

been 24 hrs and he needs medical attention and a bedroll. The lady says well wait to the 25th. Hr so my cellmate, responded with a cry for help. 5 minutes later Capt. Mitchell and Lt.Murry came running to our door yelling talking about which one of you bitches on the call button, so when no one answers, Lt.Murry pulls out his pepper spray causing my cellmate to say, he not cuffing him up, so they can beat him up, then my cellmate covers the flap on the door with a towel, then Lt.Murry grabs it, then Capt.Mitchell yelling talking about she runs this bitch, y'all gone learn ,they then tell us to sit on the bed, roll the door and try to intimidate us . This all being captured on camera on 9-20-21 between 6 and 8 p.m. I Filed two 501C reports with no response, One on 9-21-21, I gave it to a female night captain between 9.p.m. & 10p.m. Then on 9-24-21 around 1:45 p.m., I gave a second 501c to Sgt. Ratcliff to be filed while in Segregation. Later I saw Nurse Stewart and told her what happen to me,when she saw my face, took me to see Dr. T-Henson, told her my right side of my face been going numb, she examined it, and signed me up for a X-ray at 7:50 p.m. On 9-28-21 at 10:50 a.m., while still being in segregation, was taken for X-ray of my face. I remained in segregation for 12 days, and only had five days segregation time. After my release I gave a third 501C to Capt. Porter on 10-4-21 around 1:25 p.m. In front of Echo Charlie Pod door.

The offices working saw my injuries, Officers Harmon, Wilson and Dr. T-Henson gave me alcohol pads, bandages and triple antibiotic ointment for the cut on my face, which was above my left eye, my right jaw line above my jaw was cut from the blow of the hit when Lt. Murray dropped his knee on my face, smashing my right side in the ground. My top and bottom lips and my nose was busted, with cuts on my left elbow, from being hand-cuffed and flipped on the ground and Sgt. Pubalo was applying excessive force/pressure while pending me down with his foot on my neck. **See security camera footage inside Echo-Charlie pod, outside Echo Building, and Alfa Unit security camera footage in Alfa Charlie. See Clinic footage also.**

Plaintiff respectfully submits that excessive force used by the named defendants constitutes Eight Amendment Civil rights violations by CoreCivic officials and medical staff when they failed to exercise the standard of care that a reasonably prudent person would have exercised when making the decision not to administer adequate treatment , which constituted **Deliberate Indifference** when others in similar situations have received better/adequate treatment.


Deliberate Indifference occurred when CoreCivic officials/ Echo and Alfa Unit Team/Staff along with medical failed to follow policy and procedures, and these actions or inaction's of defendants negligence (careless) , with a willful disregard for rules,regulations, policy and procedures has caused severe injuries current and future to this plaintiff.

Plaintiff respectfully submits that society's standard are violated whenever prison officials such as the defendants makes a decision that maliciously, evilly and cruelly place inmates in positions to be hurt or harmed, whether substantial injury is evident or not,violates this plaintiff's Civil Rights.

Plaintiff respectfully submits that defendants violated plaintiff's civil rights under the *Farmer Rule* when the plaintiff faced an objective “substantial risk of serious harm” and there was a serious big risk that the plaintiff would suffer future health re-repercussions from the violation of TDOC/CoreCivic use of excessive force and or Medical policy and procedures.

These actions and behaviors of CoreCivic officials while acting under authority, acting under color of state law violated Plaintiff's civil and constitutional rights, causing extreme emotional, physical and mental distress, for fear of further bodily harm.

Respectfully Submitted


Jarvis Taylor
Trousdale Turner Corr.Cte.
140 Macon Way
Hartsville, Tn 37074

VII. RELIEF REQUESTED: State exactly what you want the Court to order each defendant to do for you.

TO BE RE-TRAINED AND RE-CERTIFIED ON
THE USE / NON USE OF EXCESSIVE FORCE,
EMOTIONAL - \$ 75,000
MENTAL: - \$ 75,000
PHYSICAL: \$ 75,000
CIVIL RIGHTS VIOLATIONS: \$ 500,000

I request a jury trial.

☒ Yes

☐ No

VIII. CERTIFICATION

I (we) certify under the penalty of perjury that the foregoing complaint is true to the best of my (our) information, knowledge and belief.

Signature: Mi Top Date: 6-21-22

Prison Id. No. 387118

Address (Include the city, state and zip code.): 140 MACON WAY
HARTSVILLE, TN 37074

Signature: _____ Date: _____

Prison Id. No. _____

Address (Include the city, state and zip code.): _____

ALL PLAINTIFFS MUST SIGN AND DATE THE COMPLAINT, and provide the information requested above. If there are more than two plaintiffs, attach a separate sheet of paper with their signatures, dates, prison identification numbers, and addresses.

ALL PLAINTIFFS MUST COMPLETE, SIGN, AND DATE SEPARATE APPLICATIONS TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING FEES OR COSTS, if not paying the civil filing fee.

SUBMIT THE COMPLAINT AND (1) THE REQUIRED FILING FEE OR (2) COMPLETED APPLICATION TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING FEES AND COSTS TOGETHER. Complaints received without the required filing fee or application to proceed without prepayment of fees will be returned. Filing fees and applications to proceed without prepayment of fees submitted without a complaint will be returned.

MR JAMES Taylor # 38 7118

T.T.C.C.

140 MACON WAY

HARTSVILLE, TN 37074

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Middle District of TN

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UNITED STATES District Court
for the Middle District of Tennessee
801 Broadway, Room 800
NASHVILLE, TN 37203